

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

PEDRO FIGUEROA

Petitioner,

v.

Case No. 05-C-1027

LARRY JENKINS

Respondent.

ORDER

On September 26, 2005, Pedro Figueroa filed a petition pursuant to 28 U.S.C. § 2254, asserting that his state court conviction and sentence were imposed in violation of the Constitution. Thereafter, respondent filed an answer and this court established a briefing schedule. Subsequently, petitioner filed a motion for leave to amend his habeas petition, which I granted. Petitioner has since filed a document entitled "Petitioner's Brief in Opposition of Respondents Answer to Petition for a Habeas Corpus."

At this time, it is unclear whether I should construe this as an amended petition or whether petitioner intends this filing to be a brief in support of his unamended petition. Accordingly, the court requests that petitioner notify the court how he intends this filing to be construed. After the petitioner notifies the court, I will issue a briefing schedule.

THEREFORE, IT IS ORDERED that petitioner notify the court as to the proper construction of his filing "Petitioner's Brief in Opposition of Respondents Answer to a Petition for a Habeas Corpus."

Dated at Milwaukee, Wisconsin, this 13th day of July, 2006.

s/Lynn Adelman

LYNN ADELMAN
U.S. District Judge